

FEDERAL ELECTION COMMISSION
2012 OCT -4 PM 3:25
**BEFORE THE
FEDERAL ELECTION COMMISSION**

Michael Sanders
Chairman
Missouri Democratic State Committee
P.O. Box 719
Jefferson City, MO 65102,

OFFICE OF GENERAL
COUNSEL

Complainant,

v.

W. Todd Akin
P.O. Box 31222
St. Louis, MO 63131,

MUR # 6657

Akin for Senate
P.O. Box 31222
St. Louis, MO 63131,

Senate Conservatives Fund
228 S. Washington St., Ste. 115
Alexandria, VA 22314,

Respondents.

COMPLAINT

Complainant files this complaint under 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4(a) against W. Todd Akin, Akin for Senate, and the Senate Conservatives Fund (Respondents).

According to public news reports, Respondents are about to violate multiple provisions of the Federal Election Campaign Act of 1971, as amended ("Act"), as described herein.

A. FACTS

W. Todd Akin is a candidate for the United States Senate in Missouri. Akin for Senate is his principal campaign committee. Senate Conservatives Fund ("SCF") is a PAC that is registered with the Federal Election Commission. According to public records and recent articles, SCF used to be the leadership PAC of Senator Jim DeMint. In July 2012, SCF amended

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its statement of organization to remove its affiliation with Senator DeMint so that it could operate as a so-called "super PAC." *See Senate Conservatives Fund Form 1 (amended 7/1/2012); Politico, 7/2/2012.*

On Sunday, August 19, 2012, Mr. Akin shocked the nation when he made comments distinguishing between "legitimate rape," which he claimed did not result in pregnancy, and other forms of rape. *See New York Times, 8/20/2012.* Following his outrageous remarks, Republicans and their affiliates, from the National Republican Senatorial Committee to American Crossroads, stated publicly that they would not support Mr. Akin's election efforts.

Not so with SCF. Desperate for reinforcements to aid his failing campaign, Akin began conversations with SCF to win over its support. SCF only supports candidates who support a ban on earmarks. Though Akin has long championed earmarks – indeed, he has touted them in his recent advertisements -- he specifically agreed to SCF's earmark ban in order to receive fundraising support from SCF.

This agreement followed after some back-and-forth between Akin and SCF. According to the *St. Louis Post-Dispatch*, SCF "asked for the agreement in return for possible fundraising." *St. Louis Post-Dispatch, 9/21/2012.* Akin's own aid stated that Akin "has agreed to their earmark ban." *Id.*

In a press conference on September 24, Akin revealed more about his dealings with the super PAC:

PRESS: Congressman? Did you talk to DeMint? I mean was there a conversation where he just wanted to make sure he knew what your interpretation of earmarks was? Can you walk through that...?

AKIN: That discussion has taken place at the staff level where people talk and ok give us a definition, well this is the one we are using and we said well no difference we are on the same page.

PRESS: Ok so then did they say well you know since we are all on the same page that DeMint will help you in the campaign?

AKIN: There's been nothing official on that. The conversation has been going on but there's nothing official.

Akin Press Conference with Newt Gingrich in Kirkwood, Missouri, 9/24/2012.

Recent reports have noted that the agreement may result in SCF running independent expenditures supporting Akin. *Springfield News-Leader*, 9/21/2012; *St. Louis Beacon*, 9/22/12.

B. LEGAL ARGUMENT:

1. Legal Background

The Act limits the amount of money that any person may contribute to Federal candidates and political committees. 2 U.S.C. § 441a(a). It is illegal for anybody to contribute, and for any candidate to receive, contributions to candidates in excess of \$2,500 per election. *Id.*

Federal campaign finance law treats coordinated expenditures by a non-party, non-candidate sponsor as in-kind contributions to the candidate or political party with whom they were coordinated. *See* 2 U.S.C. § 441a(a)(7)(B)(i)-(ii); 11 C.F.R. § 109.21(b). An ad is a "coordinated communication" if it is paid for by a person other than the candidate and it satisfies a content standard and a conduct standard. The conduct standard is met if, among other things, the candidate or his agents *requested or suggested the ad*; the person paying for the ad suggested the ad and the candidate or his agents *asset*; if the candidate or his agents were *materially involved in decisions* about it; or if the candidate or his agents and the sponsor had *substantial discussions* in which information material to the ad was conveyed. *See id.* § 109.21(d).

2. SCF Is About to Make, and Akin Is About to Receive Illegal In-Kind Contributions

As the press reports make clear, Akin and SCF have engaged in conduct that would trigger the conduct prong of the coordinated communication analysis. Akin and SCF has back-

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and-forth discussions over whether SCF would support Akin. SCF required that, as a condition of supporting Akin, Akin would agree to an earmark ban, and Akin agreed to those terms. Thus, Akin plainly requested and suggested that SCF support him, and assented to SCF's support.

Assuming that they have coordinated, should SCF sponsor communications in connection with the Missouri Senate election, Akin and SCF would violate 2 U.S.C. § 441a and 441b: SCF would knowingly make, and Akin knowingly accept, prohibited contributions well in excess of \$2,500. The FEC should intervene to enjoin this impending violation.

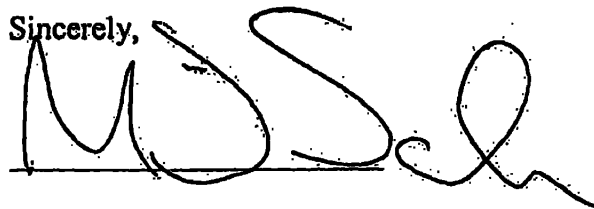
3. Akin Solicited Soft Money

In addition to the above, federal law prohibits federal candidates and officeholders from soliciting funds outside of the federal limits, source restrictions and reporting requirements in connection with a federal election. 2 U.S.C. § 441i(e). If Akin asked SCF to make expenditures in connection with his campaign, Akin would have solicited contributions in excess of the federal limits.

C. REQUESTED ACTION

As we have shown, there is substantial evidence that Respondents are about to violate the Federal Election Campaign Act. We respectfully request the Commission to investigate these violations, including whether they were knowing and willful. Should the Commission determine that Respondents are about to violate FECA, we request that Respondents be enjoined from further violations and be fined the maximum amount permitted by law.

Sincerely,

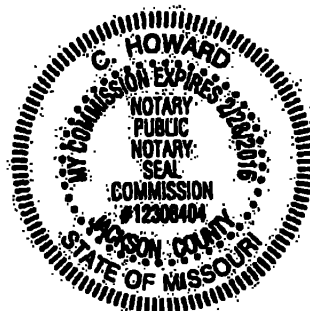
A handwritten signature in black ink, appearing to be "MSL", written over a horizontal line.

SUBSCRIBED AND SWORN to before me this 27th day of September, 2012.

C. Howard
Notary Public

My Commission Expires:

2/28/2016



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Report: Akin changes position on earmarks in return for campaign cash

SEPTEMBER 21, 2012 7:30 PM • BY NICHOLAS J.C. PISTOR • NPISTOR@POST-DISPATCH.COM
> 314-340-8265

Todd Akin will support an earmark ban in return for fundraising support from a Super PAC, the National Journal reports.

Akin, who has long supported so-called earmarking government money for local infrastructure projects, will support a ban on them backed by South Carolina U.S. Senator Jim Demint's Senate Conservatives Fund.

The Super PAC asked for the agreement in return for possible fundraising, according to the report.

Rick Tyler, an aide to Akin, told the National Journal: "He has agreed to their earmark ban." His campaign released a statement on Friday saying his position is consistent with Demint's earmark ban.

The shift is a remarkable about-face for a candidate who champions the constitutionality of earmarks on his official U.S. House website. Akin was featured in a Washington Post examination of earmarking and its possible conflicts of interest. The

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newspaper noted his role of securing \$3.3 million in federal funds for the long-planned northward extension of Highway 141 in St. Louis County, near the area where his family owns property.

Earlier this year, Akin featured earmarks in an ad titled "Leizl's Story," which described Akin's support of armored vehicles to the troops.

"After getting the new armor, my husband's humvee was hit," a woman says in the ad. "He's alive today because of Todd Akin. Now Todd Akin is being attacked for supporting what some call 'earmarks.' But just remember, that funding for armor saved my husbands life."

Akin released a statement on Friday night saying, "For the record Todd's position on earmarks has been clear and consistent and is not in conflict with Senator DeMint's ban on earmarks."

Akin, a Republican, badly needs cash in his race against incumbent U.S. Sen. Claire McCaskill. He saw his campaign funds dry up after his controversial comments on rape and abortion last month.

McCaskill has campaigned against earmarks.

Follow reporter Nick Pistor on Twitter at www.twitter.com/nickpistor

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STL BEACON

Akin blasts GOP Senate leaders by name, denies deal with Sen. DeMint for campaign help

By Jo Mannies, Beacon political reporter

12:06 am on Sat, 09.22.12

Updated at 6:55 pm on Sat, 09.22.12

Republican U.S. Senate nominee Todd Akin singled out Senate Minority Leader Mitch McConnell on Saturday as among the GOP leaders who he said are "selectively picking" candidates who are not social conservatives like himself because they don't want social conservatives in the Senate.



Todd Akin

Akin accused Republican establishment leaders of isolating him "in the barn and . . . throwing rocks at me." He asserted that their opposition to social conservatives was the real reason prominent Republicans called for him to withdraw last month in the wake of the controversy over his comment that victims of "legitimate rape" rarely get pregnant because their body "has ways to try to shut the whole thing down."

Akin is challenging U.S. Sen. Claire McCaskill, D-Mo., in a contest that could determine which party controls the U.S. Senate next January.

"The leadership in the Senate has very definite views as to who they want in their club," Akin said in a luncheon address at the conservative Eagle Forum's annual council this weekend at the Hilton St. Louis Frontenac hotel. He then made clear he was referring to top Republicans in the Democratic-controlled chamber.



Mitch McConnell

"I'm talking about Mitch McConnell and also (Texas Sen. John) Cornyn," he added. Cornyn heads the Republican Senatorial Campaign Committee, which helps fund most GOP Senate candidates but which has withdrawn support from Akin.

Akin later also included former Bush advisor Karl Rove, head of the SuperPAC Crossroads GPS, who apologized recently for observing that someone might murder Akin to oust him from the Senate contest.

Akin contended that the opposition of Republican leaders to his candidacy fit into a pattern and cited the unsuccessful efforts of some GOP leaders to block the 2010 elections of tea-party backed Sens. Marco Rubio, R-Fla., and Rand Paul, R-Ky., because they weren't the right kind of conservatives.

Establishment Republican leaders, he asserted, are "selectively picking people that we would say are not conservatives, maybe economic conservatives, but certainly not social conservatives."

"I didn't realize that they were as aggressive as they were," Akin continued, until his run-in with them over his rape comment. "Usually if somebody does something wrong, like your dog runs into a skunk, you put him in the barn because he smells bad, OK? But this was a little different. They put me in the barn and started throwing rocks at me, too."



Phyllis Schlafly

"This was an aggressive attempt to try to stop conservatives,, and it was kind of surprising that it went into the general election the way it did this year," Akin said.

Eagle Forum founder Phyllis Schlafly went even further, telling the audience that the Republican establishment – and she singled out Rove – "would rather have the Democrat elected than have a Republican who cares about social issues, the right- to-life issue, the marriage issues."

Schlafly praised former House Speaker Newt Gingrich -- who has had his own run-ins with the GOP establishment -- for his decision to stop in St. Louis on Monday to campaign for Akin and help him raise money.

'Few people' control most GOP campaign aid

In the weeks since the controversy over Akin's rape comment, several top Republican-aligned PACs, including Rove's, have dropped -- at least for now

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Still, some of her Democratic allies, including Rep. Russ Carnahan, D-St. Louis, have been predicting for weeks that outside GOP groups would soon resume spending on Akin's behalf — especially if he remains close in the polls.

McCaskill campaign blasts Akin on earmark shift

Akin's spokesman Ryan Hite said the congressman knows nothing about any SuperPAC spending on his behalf and cut no deal with DeMint. But McCaskill's campaign isn't buying it.

"Todd Akin is so principled, he's willing to abandon his long-standing beliefs just for money," said McCaskill spokesman Erk Dorey. "What kind of Washington politician runs an ad defending earmarks in the primary, then two months later, turns around and changes his position on a dime, for a dime? This is exactly the kind of transactional politics that makes people sick."



Claire McCaskill

Akin's spokesman Hite said that "DeMint's view on earmarks is in line with what the congressman has said all along," but that the press had mischaracterized Akin's stance.

In an interview last week, Akin told Beacon Washington correspondent Robert Koenig that his definition of an earmark was: "That is, something done in the dark of night, slipped in in a committee, when nobody knows that it's there, and then popped out for a vote when people haven't had a chance to see what it is. It's a special deal for somebody. I'm completely opposed to those things."

Akin added, "But I'm not opposed to the people on the Armed Services Committee (on which he sits) having the authority to do the job that we are supposed to be doing, which is reviewing defense spending and deciding what either is good or not good or adjusting it in various ways."

Akin's earlier defense of earmarks

Akin had defended earmarks during primary debates this summer against former state Treasurer Sarah Steelman and St. Louis businessman John Brunner. Some of their ads, and those by allied groups, had attacked Akin over his support of earmarks.

Indeed, right before the Aug. 7 primary, his campaign ran an ad featuring the wife of a young Army soldier who thanked Akin for using his clout to get provisions inserted into defense bills to improve the safety of equipment and vehicles used by U.S. soldiers in Iraq.

Hite contended that some have gotten earmarks confused with legitimate decisions by members of Congress to support certain projects. "Some people are (wrongly) throwing everything into the same pot," he said.

McCaskill's camp accused Akin of doing just that with a release late Friday that asserted she has "consistently voted for them, including the stimulus package which was the most earmarked, pork-laden bill in history."

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The projects listed in Akin's release as being improperly supported by McCaskill had been added during the open committee process and, therefore, didn't qualify as earmarks, by his definition.

Akin to begin campaign tour on withdrawal deadline

The news about DeMint's possible support comes amid the various deadlines that, in effect, make it impossible for Republicans to replace Akin on the Nov. 6 ballot.

Some ballots already have been printed since Saturday is the deadline for local jurisdictions to send out absentee ballots to military and Americans overseas.

Next Tuesday is the deadline for Akin to obtain a court order to get his name removed from the ballot although his campaign would be liable for the costs to print new ballots.

To mark the day, Akin's campaign is launching in St. Louis on Tuesday a four-day "Common Sense Bus Tour" around the state. The participants are to include a number of prominent Missouri conservatives, including:

- Schlafly, founder of the Eagle Forum
- Dick Bott, founder of the Bott Radio Network
- Rich Bott, president of Bott Radio Network
- Don Hinkle, editor of "The Pathway" and Director of Public Policy Missouri Baptist Convention
- Bev Ehlen, Missouri president of Concerned Women for America
- Buddy Smith, executive director of the American Family Association

The St. Louis stop is set for 2 p.m. at the Renaissance St. Louis Grand Hotel downtown.

Beacon Washington correspondent Robert Koenig contributed information for this article.

For stories about the issues and candidates in this election from St. Louis Public Radio, the Nine Network and the St. Louis Beacon, visit BeyondNovember.org. For a collection of Beacon stories, visit our [2012 election](#) page.

News-Leader.com

Inside Missouri Politics



As he searches for campaign cash, Akin says he now supports earmark ban

Posted on September 21, 2012 by Deirdra Sheggreen

Republican Senate hopeful **Todd Akin**, in a move to snag financial support from key players in Washington, appears to have reversed his position on earmarks.

According to a story in the National Journal, Akin has agreed to support a ban on earmarks—the specially tagged funding provisions that lawmakers use to channel federal funds to home-state projects—in an effort to win support from the Senate Conservatives Fund. That's the leadership PAC of Sen. **Jim DeMint**, an influential conservative from South Carolina.

The National Journal story says that DeMint's political action committee is considering donating to Akin, after securing a promise from Akin to support a ban on the pet funding projects.

"He has agreed to their earmark ban," Rick Tyler, a top Akin adviser, told NJ.

Akin has long been a supporter of earmarks, saying that Congress has constitutional authority to direct spending. As a member of the U.S. House since 2001, Akin has successfully sought dozens of earmarks worth millions of dollars.

As recently as July, Akin defended his support for earmarks, saying that if lawmakers didn't specify where federal dollars went, federal bureaucrats would. His remarks came even after House GOP leaders had abandoned the practice of earmarking, which became associated with a bevy of political scandals in Washington.

Akin's opponent in the U.S. Senate contest—Democratic incumbent **Claire McCaskill**—has crusaded against earmarks, saying they are based more on lawmakers' political muscle than on projects' actual merit.

A spokesman for her campaign, Erik Dorey, said that Akin is "willing to abandon his long-standing beliefs just for money.... This is exactly the kind of transactional politics that makes people sick."

Tyler, in an email to the News-Leader, said this was not a reversal of Akin's position. He said Akin still believes that "Congress maintains an oversight capacity to direct spending as legislation intends." Akin opposes spending provisions that do "not go through the normal legislative process and instead are added just prior to the vote," Tyler said.

House and Senate GOP leaders have adopted a total ban on any funding provisions that direct money to specific projects, without regard to the exact legislative process.

Support from DeMint's PAC could be a major boost for Akin, who has struggled to raise money since his

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controversial comments that women who are victims of "legitimate rape" rarely get pregnant because their bodies have "a way to shut that whole thing down."

Those comments have earned Akin the ire of the GOP establishment in Washington, with GOP leaders pushing him to quit the Senate race and saying they would not spend any money to support him.

DeMint has played the role of king-maker in some Republican primaries, supporting hard-core conservative candidates over more mainstream Republicans. And his PAC has funneled hundreds of thousands of dollars to those aspiring Republican senators.

The PAC can donate money directly to Akin and make independent expenditures on his behalf. But it's real financial prowess is tapping into DeMint's network of donors and directing their donations to key GOP candidates. In Ohio, for example, DeMint's PAC has raised more than \$200,000 for the GOP candidate aiming to oust Democratic Sen. Sherrod Brown.


Tyler said it was inaccurate to suggest Akin had struggled to raise money or that he had reversed his position on earmarks.

"Everyday more money pours in," Tyler said in an email. "We have raised over \$600,000 online only in the last four weeks and will reach over \$1 million soon."

He argued that Akin's position on earmarks "is consistent with DeMint's" and said McCaskill's support for the 2009 stimulus bill undermines her credibility on pork-barrel spending.

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POLITICO

Jim DeMint launches super PAC

By: Jonathan Allen

July 2, 2012 12:00 AM EDT

Sen. Jim DeMint is cutting formal ties to his wildly successful small-donor fundraising machine, the Senate Conservatives Fund, so that it can form a super PAC, POLITICO has learned.

The super PAC will be able to raise and spend without limits, letting the South Carolina Republican's operatives make runs at the kind of mega donors who have redefined the 2012 fundraising season.

Since 2009, DeMint has raised more than \$17 million to promote promising candidates in an effort to remake the Senate not just in a Republican image — but in a die-hard conservative one.

The move could expand his reach and influence in politics, particularly in the months after the Supreme Court's decision to uphold President Barack Obama's health care law, which served as a rallying cry for Republicans in 2010 and will likely be a centerpiece in 2012.

It will also test whether a rock star congressional fundraiser can attract the kind of megabucks that have been flowing to presidential candidates this year. Party leaders in Congress have launched super PACs with mixed results, but DeMint is positioning himself as an independent power outside the party structure, and, if his success continues, he could spawn copycats among members of Congress looking to make their mark quickly.

"Throughout the country, there are a lot of mini-Sheldon Adelsons who have personal wealth and who may be attracted to a particular candidate, and I think that one way to help that candidate is to support a super PAC," Republican election lawyer Jan Baran told POLITICO in March, referring to the Las Vegas casino magnate who has pumped \$10 million into House GOP super PACs.

The SCF spinoff is called Senate Conservatives Action, and it's launching with a new website, senateaction.com, on Monday.

"If we're going to save this country, we have to elect more conservatives to the U.S. Senate," DeMint said. "Making the Senate Conservatives Fund independent of me will allow it to do even more to elect the kind of leaders we need to repeal Obamacare and balance the budget."

DeMint, who pioneered the art of using a leadership PAC to spend on ads, literature and

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fundraising appeals for other candidates, isn't giving up much by severing his formal relationship with SCF. Under federal election law, he can still advise SCF — as long as the PAC doesn't endorse him — and it will be run, as it always has been, by longtime DeMint operative Matt Hoskins.

The only limitation: DeMint can't make big-money asks himself, though he may appear at events — including fundraisers. And surely anyone willing to out a six- or seven-figure check will know it's his super PAC.

DeMint raised \$9.3 million in contributions of \$5,000 or less in the 2010 election cycle and \$8 million so far for 2012. The sums already dwarf those of other lawmakers with "leadership" PACs designed to curry favor with many colleagues by making direct contributions to them of \$5,000 or less.

As Republicans cruised toward taking the House majority in 2010, their leader, John Boehner, raised \$3.1 million for his leadership PAC, according to the Center for Responsive Politics. And Senate Minority Leader Mitch McConnell (R-Ky.) collected just \$1.2 million for his Bluegrass Committee.

Beyond the scale of the money, there are two distinguishing features of SCF: DeMint's decision to spend large sums on a small group of candidates and his lack of interest in winning election to an official leadership post in the Senate.

In the traditional model, emerging stars in each party formed leadership PACs as vehicles to give money in \$5,000 increments to as many candidates as possible. They would then seek the recipients' support for their ambitions to run for leadership posts or committee chairmanships.

But DeMint, who seems to relish his independent power base within the Senate, hasn't given any indication that he wants to run for a seat at the leadership table, and he is bumping up against a self-imposed two-term limit in the Senate in 2016 anyway.

But it's been impossible to miss the way he's increased his influence within the Senate Republican Conference at a time when the caucus has been getting more conservative. One of the freshman DeMint helped elect in 2010, Ron Johnson of Wisconsin, nearly won a race for the vice chairmanship of the GOP caucus over leadership-backed Sen. Roy Blunt (R-Mo.). Just a few years ago, DeMint was regarded as a fringe agitator whom GOP leadership could afford to ignore most of the time.

Now, he is taken very seriously, both as a fundraiser and a force within the Senate. He helped elect Sens. Johnson, Marco Rubio of Florida, Rand Paul of Kentucky, Pat Toomey of Pennsylvania and Mike Lee of Utah.

But DeMint's efforts to nominate strong conservatives haven't always sat well with other Republicans. The GOP establishment felt that it missed a big opportunity to take over a Colorado Senate seat in 2010 when DeMint's candidate, Ken Buck, won the GOP primary and then lost the general election.

This year's list of DeMint favorites:

Josh Mandel (R-Ohio), Ted Cruz (R-Texas), Mark Neumann (R-Wis.), Jeff Flake (R-Ariz.), and Richard Mourdock (R-Ind.). The fund didn't get involved in Mourdock's primary upset

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of Sen. Dick Lugar, but is now working to help him defeat Rep. Joe Donnelly in November.

DeMint hasn't lined up any mega-donors yet, according to Hoskins. But he felt it was time to start plowing that turf.

"Now that we've built a solid, low-dollar donor base that is over 100,000 strong, it makes sense to begin the process of developing a high-dollar program to boost our independent expenditures," Hoskins told POLITICO. "We don't expect this to happen overnight, but over time we hope it will grow into something that makes a real impact on key races."

The amounts can be stunning. Cruz, for example, has been the beneficiary of \$1.2 million in SCF support.

DeMint has become one of the best fundraisers in Congress in part because his brand of iconoclastic conservatism appeals to activists so much. He said that the 2010 health care law would be Obama's Waterloo.

Last week, when the Supreme Court upheld the law, SCF raised \$210,000 — about four times its typical weekly haul — Hoskins said.

"The Supreme Court's decision on Obamacare last week was a real wake-up call for Americans who love freedom," DeMint will say in Monday's release. "It's now clear that the only way to save this country is by winning elections. Now is the time for people to engage the political process like never before and do everything they can send principled fighters to the U.S. Senate."

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The New York Times

WATCH TRAILER

August 20, 2012

Rep. Todd Akin: The Statement and the Reaction

By LORI MOORE

The sequence of events after Representative Todd Akin, Republican of Missouri, commented to a St. Louis television station on pregnancy as a result of rape.

Sunday

11:24 A.M. KTVI-TV posts to its Web site an interview with Mr. Akin in which he is asked whether he believes abortion is justified in cases of rape and replies that rape does not result in pregnancy. Twitter soon erupts with outrage and links to the interview.

"It seems to be, first of all, from what I understand from doctors, it's really rare. If it's a legitimate rape, the female body has ways to try to shut the whole thing down."

4:28 P.M. Senator Claire McCaskill, the Democrat whose Senate seat Mr. Akin is seeking, releases a statement denouncing his comments.

"As a former prosecutor, Claire McCaskill has worked closely with hundreds of rape victims and intimately understands their trauma and pain. It is that experience that makes Akin's statements so outrageous."

4:59 P.M. Mr. Akin releases a statement saying that he misspoke in the interview.

"I believe deeply in the protection of all life, and I do not believe that harming another innocent victim is the right course of action. I also recognize that there are those who, like my opponent, support abortion, and I understand I may not have their support in this election."

Monday

EARLY MORNING Mitt Romney calls Mr. Akin's comments "inexcusable."

"Congressman's Akin comments on rape are insulting, inexcusable and, frankly, wrong,"

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Mr. Romney says. "Like millions of other Americans, we found them to be offensive."

10:00 A.M. Mr. Akin appears on Mike Huckabee's radio program to say he made a mistake but will not drop out of the race for the Senate.

"I'm not a quitter. My belief is we're going to take this thing forward, and by the grace of God, we're going to win this race."

10:30 A.M. President Obama condemns the congressman's remarks and says they are an example of why politicians should not make health care decisions for women.

"Rape is rape, and the idea that we should be parsing and qualifying and slicing what types of rape we are talking about doesn't make sense to the American people and certainly doesn't make sense to me."

10:45 A.M. Senator Scott P. Brown of Massachusetts joins other Republicans who lean on Mr. Akin to withdraw from the race.

"I found Todd Akin's comments about women and rape outrageous, inappropriate and wrong. There is no place in our public discourse for this type of offensive thinking."

LATE MORNING American Crossroads, the "super PAC" affiliated with Karl Rove, says it is pulling advertising supporting Mr. Akin in the Missouri race.

3:30 P.M. Mr. Akin repeats his apologies and his intention to stay in the race on Sean Hannity's program, but Mr. Hannity pushes Mr. Akin to quit for the good of the party.

"If this becomes the defining issue in the campaign and you lose that race, and it affects the top of the ticket in the state of Missouri, have you thought about the consequences of that?"

LATE AFTERNOON Mr. Romney, in a television interview alongside his running mate, Paul D. Ryan, denounces Mr. Akin's remarks in stronger language than his campaign had used earlier.

"His comments about rape were deeply offensive, and I can't defend what he said. I can't defend him."

LORI MOORE

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